

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature – Second Regular Session

MINUTES RECEIVED
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2-18-16

COMMITTEE ON FEDERALISM AND STATES' RIGHTS

Report of Regular Meeting
Wednesday, February 17, 2016
House Hearing Room 5 -- 9:00 a.m.

Convened 9:03 a.m.

Recessed

Reconvened

Adjourned 12:09 p.m.

Members Present

Mr. Finchem
Mr. Mitchell
Ms. Rios
Mr. Thorpe
Ms. Velasquez
Mr. Wheeler
Mr. Campbell, Vice-Chairman
Ms. Townsend, Chairman

Members Absent

Agenda

Original Agenda – Attachment 1

Request to Speak

Report – Attachment 2

Presentations

Name

Organization

Attachments (Handouts)

None

Committee Action

Bill

Action

Vote

**Attachments (Summaries,
Amendments, Attendance)**

HB2571	HELD		
HB2024	DPA/SE	5-2-0-1	3, 4, 5
HB2370	DP	5-3-0-0	6, 7
HB2691	DP	5-3-0-0	8, 9
HB2585	DP	5-3-0-0	10, 11
HCM2010	DP	8-0-0-0	12, 13
HB2340	DPA	5-2-0-1	14, 15, 16, 17, 18
HB2572	DP	7-0-0-1	19, 20
	Committee Attendance		21



Jackie Wright, Chairman Assistant
2/17/16

(Original attachments on file in the Office of the Chief Clerk; video archives available at <http://www.azleg.gov>)

Convened: 9:03 A.M.
Adjourned: 12:09 P.M.

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature - Second Regular Session

REGULAR MEETING AGENDA

COMMITTEE ON FEDERALISM AND STATES' RIGHTS

DATE Wednesday, February 17, 2016

ROOM HHR 5

TIME 09:00 A.M.

Members:

Mr. Finchem
Mr. Mitchell
Ms. Rios

Mr. Thorpe
Ms. Velasquez
Mr. Wheeler

Mr. Campbell, Vice-Chairman
Ms. Townsend, Chairman

Bills	Short Title	Strike Everything Title
*HB2024 <u>DPA/SE</u> <u>5-2-0-1</u>	sovereign authority; federal actions (Finchem, Borrelli, Cobb, et al) FSR held 0-0-0-0-0, RULES	S/E: immigration laws; attorney fees
HB2340 <u>DPA</u> <u>5-2-0-1</u>	wild horses; management; prohibition (Townsend, Barton, Cardenas, et al) FSR, RULES	
HB2370 <u>DP</u> <u>5-3-0-0</u>	sovereign authority; refugees (Thorpe: Boyer, Cobb, et al) FSR, RULES	
HB2571 <u>HELD</u> <u>—</u>	property; diminution; compensation; federal law (Townsend) FSR, RULES	
HB2572 <u>DP</u> <u>7-0-0-1</u>	study committee; Salt River horses (Townsend) FSR, RULES	
HB2585 <u>DP</u> <u>5-3-0-0</u>	national monuments; justification; litigation (Thorpe, Barton, Allen S, et al) FSR, RULES	
HB2691 <u>DP</u> <u>5-3-0-0</u>	refugee resettlement; procedures; audit (Gowan) FSR, RULES	

Bills**Short Title****Strike Everything Title**

HCM2010

DP

Robert Levinson; release from Iran

(Allen J, Borrelli, Campbell, et al)

8-0-0-0

FSR, RULES

*

On Previous Agenda

ORDER OF BILLS TO BE SET BY THE CHAIRMAN

JW

2/11/16

People with disabilities may request reasonable accommodations such as interpreters, alternative formats, or assistance with physical accessibility. If you require accommodations, please contact the Chief Clerk's Office at (602) 926-3032, TDD (602) 926-3241.

Information Registered on the Request to Speak System

House Federalism and States' Rights (2/17/2016)

HB2024, sovereign authority; federal actions

Support:

Shaun Dixon, representing self; Brent Backus, TENTH AMENDMENT CENTER; Michael Gibbs, representing self; Danny Ray, representing self; Jose Borrajero, representing self; Corey Spofford, representing self; Kenneth W. Gareau, representing self; Barbara Gareau, representing self; Buffalo Rick Galeener, representing self; Jane Schutte, representing self; martha hayes, representing self; Tom Holding, representing self; Janelle Solomon, representing self; Christine Maceri Genge, representing self; Dennis Genge, representing self; Richard Hofelich, representing self; Onita Davis, representing self; Joyce Hill, representing self; Jere Fredenburgh, representing self

Oppose:

Rivko Knox, representing self; Daria Lohman, representing self; Karen Peters, representing self; Arthur Rogers, representing self; Carol Maas, representing self; Dale Wiebusch, Legislative Associate, LEAGUE OF ARIZONA CITIES & TOWNS; marilyn duerbeck, representing self; Ann Machek, representing self; Pat VanMaanen, representing self; Dale Domzalski, representing self; Stephanie Seigla, representing self; Kelly Norton, AZ MINING ASSN; Leonard Clark Clark, representing self

All Comments:

Brent Backus, TENTH AMENDMENT CENTER: Support HB2024. AZ needs to exercise its rights under the U.S. Constitution and Prop 122.; Rivko Knox, Self: I'm sorry to say this, but this a silly bill, and a waste of time for the AZ Legislature to consider!!; Michael Gibbs, Self: Every single day the federal government finds new ways to exceed its Constitutional authority. It's imperative that the state of Arizona assert its authority by refusing to cooperate when Washington operates outside of its bounds.; Daria Lohman, Self: Per the Arizona Constitution the US Constitution is supreme. Per the US Constitution the US Supreme court is the final authority on the constitutionality of laws.; Karen Peters, Self: Yet another black eye for Arizona.; Arthur Rogers, Self: Both Republican presidents and Democratic presidents have used executive orders. They are legal within limits. This bill invites lawsuits which are not in the interest of Arizona because of budget impact.; Carol Maas, Self: Please stop this waste of time and money over an issue that won't stand a legal challenge. We are the United States of America, not the United States of Arizona.; Kenneth W. Gareau, Self: The state's created Federal Government continues to ignore the original intent of the Constitution. If we are to continue as a sovereign state we must step up to our obligations to ignore unconstitutional laws. I Strongly approve this bill.; Barbara Gareau, Self: The state's created Federal Government continues to ignore the original intent of the Constitution. If we are to continue as a sovereign state we must step up to our obligations to ignore unconstitutional laws. I Strongly approve this bill.; Stephanie Seigla, Self: Not constitutional; Leonard Clark Clark, Self: We should all hang together or surely we will all hang seperately

HB2340, wild horses; management; prohibition

Testified in support:

Kate Dionne, representing self; Amber Karpouskie, representing self; Josiah Karpouskie, representing self

Testified as neutral:

Laura Oxley, representing self

Testified as opposed:

Simone Netherlands, representing self; Greg Patterson, representing self; Judy Bernard, representing self; Richard Bernard, representing self

Support:

Joel Alcott, representing self; Jim Kresse, representing self; Joe Romack, representing self; Tom Dodson, representing self; Mike Sullivan, representing self; Matthew Johnson, representing self; Paula Schell, representing self; Trudy Bastman, representing self; Donald Bastman, representing self; Purdy Hart, representing self

Neutral:

Stella Henney, representing self; Frank Walker, representing self

Oppose:

Shareen Goodroad, representing self; Ann Hutchinson, representing self; Patricia Cady, representing self; Kellye Pinkleton, HUMANE SOCIETY OF THE UNITED STATES; Valerie DeLuccia, representing self; Joanne Mizell, representing self; Kay Reardon, representing self; Maureen Beyers, representing self; Lisa Sanzone, representing self; Thomas Krepitch, representing self; Scott Prior, representing self; Lain Kahlstrom, representing self; Judith Simons, representing self; Janet Neil, representing self; Destini Rhone, representing self; Kim Lenski, representing self; Bonnie Hughes, representing self; Patrick Norton, representing self; Kathleen Morrison, representing self; LuAnne Hedblom, representing self; Karen Michael, Humane Voters Of Arizona; Merilee Davito, representing self; Christine Antaya, representing self; Debra L. Mykitiuk, representing self; Barbara Baugh, representing self; Julie Anich, representing self; Pamela Buschbacher, representing self; Christine Goudreault, representing self; Anthony Chiarelli, representing self; Ted Brown, representing self; Silke Gardener, representing self; Cricket Weber, representing self; Toni Cassar, representing self; Jennifer Jewell, representing self; Karen Michael, ANIMAL DEFENSE LEAGUE OF ARIZONA; Jerry Clingman, representing self

All Comments:

Shareen Goodroad, Self: Bill does not address logistical challenges proposed with state ownership. Salt River Wild Horse Management Group is working collaboratively with the USFS and other local stakeholders to solve this and time for emergency action has passed.; Ann Hutchinson, Self: This is a bad bill; it does not say who will manage the horses and no funding is provided, There is no current emergency. There is a collaborate effort in process between the SWHMG and the US Forest Service. Don't waste our tax dollars.; Patricia Cady, Self: State ownership of these horses would give no protections from sterilization or slaughter. It provides no funds for management of the horses. In sum, it is a bad bill. Do not allow further delay in protecting the Salt River Wild Horses!; Joel Alcott, Self: I am the Tenth Amendment Center state director. This bill is a model of how the State of Arizona should be managing it's own affairs without interference from outside entities or agencies. I strongly support this bill.; Joanne Mizell, Self: I strongly urge you to either revise the bill to remove management from the Department of Ag, or kill the bill outright. The majority of the citizens and voters of AZ are not cattlemen and we understand what it means when the Dept of Ag manages some; Joe Romack, Self: The Federal government is poorly equipped to care for the wild horses. The state of Arizona will do a much better job. The horses belong to the state!; Tom Dodson, Self: Please pass this bill, any work we can do to return control of Arizona's resources to Arizona is worthy. Thank you. Tom Dodson Tempe, AZ; Mike Sullivan, Self: These are Arizona's horses. Let Arizona manage them.; Lain Kahlstrom, Self: Do not want our state's Dept of Ag to manage these herds; Greg Patterson, Self: I am lobbying on behalf of the American Wild Horse Preservation Campaign. We oppose the bill because it would destroy the herd by

domesticating it. The bill would also cost in excess of \$400,000 annually and make the situation worse.; Matthew Johnson, Self: I do suggest making some changes to fund and provide protections for the animals.; Amber Karpouskie, Self: Please don't move or harm any of our Salts! Thank you.; Josiah Karpouskie, Self: Save our salt river horses please; stella henney, Self: Would like to hear bill before determining my position.; Judith Simons, Self: I support the SRWHMG position on this.; Destini Rhone, Self: I do not want this bill to pass, it will destroy the Salt River Wild Horses; LuAnne Hedblom, Self: This bill, even with proposed amendments, does not provide complete & permanent protection for the Salt River herd. Management of the herd on its federal land territory is a complex issue. This bill does not begin to address these complexities.; Christine Antaya, Self: SAVE and Preserve these icons; Christine Goudreault, Self: The progress being made to keep wild horse herds in place is far superior to what would result from State control of horses. History proves they will be removed.

HB2370, sovereign authority; refugees

Testified as opposed:

Ron Johnson, AZ CATHOLIC CONFERENCE; Leonard Clark Clark, representing self

Support:

Brent Backus, TENTH AMENDMENT CENTER; Scott Ottersen, LD17 PC, representing self; Michael Gibbs, representing self; Danny Ray, representing self; Jose Borrajero, representing self; Corey Spofford, representing self; Shirley Lamonna, representing self; Buffalo Rick Galeener, representing self; Jane Schutte, representing self; martha hayes, representing self; Tom Holding, representing self; Janelle Solomon, representing self; Christine Maceri Genge, representing self; Dennis Genge, representing self; Joel Alcott, representing self; Richard Hofelich, representing self; Onita Davis, representing self; Joyce Hill, representing self; Itasca Small, representing self

Oppose:

Connie Phillips, representing self; Rivko Knox, representing self; Dianne Post, representing self; Carol Maas, representing self; Paige Wambold, representing self; Joanna Marroquin, representing self; Joshua Huggins, representing self; Erica Sussman, representing self; Francesca Thomas, representing self; Stephanie Seigla, representing self

All Comments:

Connie Phillips, Self: The federal system currently provides vetting. This is a bi-partisan program that has been successful since 1975.; Brent Backus, TENTH AMENDMENT CENTER: Support HB 2370. AZ needs to exercise its right under the U.S. Constitution and Prop. 120.; Carol Maas, Self: This is wrong! Refugees are vetted and we should not be restricting their opportunity to safety and freedom.; Francesca Thomas, Self: Refugees, after years in camps and full vetting by the UN and federal agencies, are admitted as residents in the USA. They must wait at least 5 years before applying for citizenship. We should welcome them to our state. Please vote no on this bill.; Janelle Solomon, Self: The United States government has not fulfilled its constitutional responsibilities to ensure secure international borders and to regulate lawful, controlled and limited immigration. We have a right to our sovereign authority.; Dennis Genge, Self: The federal govt. has put some refugees on a fast track even though vetting is impossible according to intelligence. States rights matter.; Joel Alcott, Self: I am the Tenth Amendment Center state director. I support this bill.; Leonard Clark Clark, Self: against

HB2571, property; diminution; compensation; federal law

Support:

Jose Borrajero, representing self; Danny Ray, representing self; Buffalo Rick Galeener, representing self; martha hayes, representing self; Tom Holding, representing self; William Sandry, representing self; Richard Hofelich, representing self; Onita Davis, representing self; Steve Hetsler, representing self; Jere Fredenburgh, representing self; Joyce Hill, representing self; Itasca Small, representing self; Tracy Langston, Mrs., representing self; Elisha Dorfsmith, representing self; Darlene Younker, representing self

Neutral:

Leonard Clark Clark, representing self

Oppose:

Peter Bengtson, representing self; Alisa McMahon, representing self; Michael Fflis, representing self; Patricia Cady, representing self

All Comments:

Peter Bengtson, Self: The state should not be responsible for compensation if the value of a property declines. The state does not receive funds from a property owner if state action such as a road increases the value of a property.; Danny Ray, Self: There should not be any exceptions for people's private property being taken and not being compensated by any level of government for any reason. There should be no fed exemption.; William Sandry, Self: We must not surrender our 5th and 14th Amendment rights for compensation for a taking by statute or otherwise.; Jere Fredenburgh, Self: protecting private property is a responsibility of government. it is part of what makes us America. thank you.; Tracy Langston, Self: Per the Kelo Supreme Court decision, we should be compensated whenever the government diminishes our property value. This aligns AZ statute with the Supreme Court, and protects Arizonans. Win-Win!

HB2572, study committee; Salt River horses

Testified as opposed:

Simone Netherlands, representing self

Support:

Joel Alcott, representing self; Trudy Bastman, representing self; Donald Bastman, representing self; Mike Sullivan, representing self

Neutral:

Leonard Clark Clark, representing self

Oppose:

Shareen Goodroad, representing self; Ann Hutchinson, representing self; Greg Patterson, representing self; Patricia Cady, representing self; Valerie DeLuccia, representing self; joanne mizell, representing self; Maureen Beyers, representing self; Lisa Sanzone, representing self; Thomas Krepitch, representing self; Scott Prior, representing self; Lain Kahlstrom, representing self; Kellye Pinkleton, HUMANE SOCIETY OF THE UNITED STATES; Judith Simons, representing self; Janet Neil, representing self; Destini Rhone, representing self; Bonnie Hughes, representing self; Patrick Norton, representing self; Kathleen Morrison, representing self; LuAnne Hedblom, representing self; Karen Michael, Humane Voters Of Arizona; judy bernard, representing self; Merilee Davito, representing self; Richard

Bernard, representing self; Christine Antaya, representing self; Debra L Mykitiak, representing self; Barbara Baugh, representing self; Julie Anich, representing self; pamela buschbacher, representing self; Anthony Chiarelli, representing self; Christine Goudreault, representing self; ted brown, representing self; Silke Gardener, representing self; Cricket Weber, representing self; Toni Cassar, representing self; Jennifer Jewell, representing self; Karen Michael, ANIMAL DEFENSE LEAGUE OF ARIZONA; Frank Walker, representing self

All Comments:

Shareen Goodroad, Self: This study is redundant. All of this information is currently available and/or in process with Mesa Ranger District and Salt River Wild Horse Management Group. This study would create an unnecessary duplication of efforts and taxpayer costs.; Ann Hutchinson, Self: This study is not needed since there are existing studies. If it is done, there should be someone from the US Forest Service and the Salt River Wild Horse Management Group who are most familiar with the situation and have already done studies.; Greg Patterson, Self: Committee is much too narrow. Excludes wild horse advocates as well as tourism and commerce representatives. The bill doesn't distinguish between this (wild) population and other (feral) populations in other parts of AZ; Patricia Cady, Self: An appointment of a study committee lacking expertise on the wild horses is illogical and therefore, this bill should not pass. Additionally, HB2340 to make wild horses state property is a bad bill. The horses are on federal, not state land.; Joel Alcott, Self: I am the Tenth Amendment Center state director. This bill is a model of how the State of Arizona should be managing its own affairs without interference from outside entities or agencies. I strongly support this bill.; joanne mizell, Self: This bill appears on the surface to be fair to AZ wild horses, but the fact that the proposed study committee is lacking any mention of representation from experts on the Salt River herd specifically--and from the US Forest Services. Please fix it.; Scott Prior, Self: 1. No bipartisan participation is guaranteed. 2. There are no environmental sciences members to study the environmental impact as stated. 3. Friend at Midwest university needs a job. 4. will not give accurate environmental impact. vote no; Lain Kahlstrom, Self: Add experts from Salt River Herd and US Forest Service and I'd be all for it; Judith Simons, Self: I support the SRWHMG position on this.; Destini Rhone, Self: This will be bad for our Salt River Wild Horses and is not a proper way to study the effects.; Bonnie Hughes, Self: Concern that State & its appointed Committee will not have expertise to manage horses in wild. Bill will delay protecting horses providing Federal govt to live up to its responsibility; LuAnne Hedblom, Self: the proposed makeup of the study committee does not include appropriately qualified positions for wild horse behavioral experts nor for persons who are already familiar with years of expertise studying this unique herd and its environment.; Leonard Clark Clark, Self: neutral; Christine Goudreault, Self: scientific studies for the Salt River habitat are already in place FREE of taxpayer funding. Also, the fact that a herd has existed in one place for over 100 years is testimony itself of health, viability, absence of disease.

HB2585, national monuments; justification; litigation

Testified as opposed:

Sandy Bahr, Sierra Club - Grand Canyon Chapter

Support:

Joel Alcott, representing self; Kelly Norton, AZ MINING ASSN

Oppose:

Peter Bengtson, representing self; Alisa McMahon, representing self; Michael Fiflis, representing self; Patricia Cady, representing self; Ann Hutchinson, representing self; Stephanie Seigla, representing self

All Comments:

Peter Bengtson, Self: The legislature should not pass this bill. It is just another reason for the Legislature to sue someone.

HCM2010, Robert Levinson; release from Iran

Support:

Joel Alcott, representing self

All Comments:

Joel Alcott, Self: I strongly support this House Concurrent Memorial.

HB2691, refugee resettlement; procedures; audit

Testified as opposed:

Connie Phillips, representing self; Leonard Clark Clark, representing self

Support:

Jose Borrajero, representing self; Joel Alcott, representing self; Buffalo Rick Galeener, representing self; Jane Schutte, representing self; martha hayes, representing self; Tom Holding, representing self; Janelle Solomon, representing self; Christine Maceri Genge, representing self; Dennis Genge, representing self; Richard Hofelich, representing self; Onita Davis, representing self; Joyce Hill, representing self; LINDA BRICKMAN, ACT FOR AMERICA CHPT LDR FOR AZ; LEGISLATIVE LIAISON VP FOR THE ATPPA, ACT FOR AMERICA

Oppose:

Rivko Knox, representing self; Dianne Post, representing self; Carol Maas, representing self; Francesca Thomas, representing self

All Comments:

Connie Phillips, Self: All of the information is readily available through the DES office. The resettlement programs contract directly with the national faith-based organizations for the money to resettle. This money is spent in the state of AZ.; Rivko Knox, Self: We are a nation of immigrants, and as a first generation native born American, this bill offends me.; Francesca Thomas, Self: Thousands of refugees have been resettled in AZ over the last few, all without incident. The federal gov't contracts directly with local non-profits to help with resettlement. This bill is redundant and a misuse of state taxes. Please vote no.; Joel Alcott, Self: I am the Tenth Amendment State Director. I support this bill.; Janelle Solomon, Self: This is only common sense.; Dennis Genge, Self: With the federal govt. fast tracking refugees even though intelligence agencies say they cannot be vetted the states need to take action. Non-profits are helping refugees not AZ.; LINDA BRICKMAN, ACT FOR AMERICA: 2013: Refugees in US: 69,926; 2014: 69,927; 2015: 69,923. AZ was #4 in U.S. with 3,137 (5% of TT). The RRP is a run-away centralized resettlement process creating a pathway 2 Terrorism w/unbudgeted taxpayer expenditures on immigration. Pls vote YES.

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HOUSE OF REPRESENTATIVES

Please PRINT Clearly

Committee on Federalism & States Rights Bill Number 2370
Date 2-17-16 ☐ Support ☒ Oppose ☐ Neutral
Name Deborah Hutterer Need to Speak? ☐ Yes ☒ No
Representing self Are you a registered lobbyist? no
Complete Address 4777 E Kira St Phoenix
E-mail Address dhutterer@lss-sw.org Phone Number 480-396 3795
Comments: Please vote no.

FIVE-MINUTE SPEAKING LIMIT

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HOUSE OF REPRESENTATIVES

Please PRINT Clearly

Committee on Federalism & States Rights Bill Number 2370
Date 2/17/16 ☐ Support ☒ Oppose ☐ Neutral
Name CRAIG THORESEN Need to Speak? ☐ Yes ☐ No
Representing LUTHERAN SOCIAL SERVICES Are you a registered lobbyist? No
Complete Address 3443 N. CENTRAL, NORTH ROTONDA,
E-mail Address cthoresen@refugeesoc.org Phone Number 602-248-4400 x115
Comments: _____

FIVE-MINUTE SPEAKING LIMIT

(2) *Thru*

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HOUSE OF REPRESENTATIVES

Please PRINT Clearly

Committee on Federalism + State's Rights Bill Number HB 2370

Date 2/17/16 ☐ Support ☒ Oppose ☐ Neutral

Name Joanne Morales Need to Speak? ☐ Yes ☒ No

Representing Self Are you a registered lobbyist?

Complete Address 10410 N. Cave Creek Rd #2019 Phx AZ 85020

E-mail Address jemorales@cc-az.org Phone Number 602-749-4428

Comments:

FIVE-MINUTE SPEAKING LIMIT

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HOUSE OF REPRESENTATIVES

Please PRINT Clearly

Committee on Federalism + State Rights Bill Number 2340

Date 2-17-2016 ☐ Support ☒ Oppose ☐ Neutral

Name ANN MOND Need to Speak? ☐ Yes ☒ No

Representing Self Are you a registered lobbyist? NO

Complete Address HC 3 Box 1014/49795 E. MIFFLIN RD TUCSON, AZ 85739

E-mail Address janniegoodearth@comcast.net Phone Number 520-722-1749

Comments: I Oppose bill

FIVE-MINUTE SPEAKING LIMIT

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HOUSE OF REPRESENTATIVES

Please PRINT Clearly

Committee on Federalism & State Rights Bill Number ~~2340~~ 2340
Date 2-17-2016 ☐ Support ☒ Oppose ☐ Neutral
Name Marcelene Alexander Need to Speak? ☐ Yes ☒ No
Representing Self Are you a registered lobbyist? No
Complete Address P.O. Box 5106 Sun City West, AZ 85376-5106
E-mail Address marcelenealexander@johas.com Phone Number 541-974-5587
Comments: I oppose this bill
The SR House should be protected & covered for

FIVE-MINUTE SPEAKING LIMIT

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HOUSE OF REPRESENTATIVES

Please PRINT Clearly

Committee on Federalism & State Rights Bill Number 2340
Date 2-17-2016 ☐ Support ☒ Oppose ☐ Neutral
Name Sam London Need to Speak? ☐ Yes ☒ No
Representing _____ Are you a registered lobbyist? No
Complete Address 11863 N. Mission Dr
E-mail Address Sney987 Sney987@cox.net Phone Number 623-972-6056
Comments: _____

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HOUSE OF REPRESENTATIVES

Please PRINT Clearly

Committee on Federalism & State's Rights Bill Number HB 2340/2572
 Date 2/17/16 ☐ Support ☒ Oppose ☐ Neutral
 Name Robin O'Donnell Need to Speak? ☐ Yes ☒ No
 Representing Self Are you a registered lobbyist? NO
 Complete Address 1043 S Nina Dr Mesa AZ 85210
 E-mail Address robin222@cox.net Phone Number 6024512488
 Comments: How can state afford to take on the horses.
And this bill absolutely does not protect them.

FIVE-MINUTE SPEAKING LIMIT

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HOUSE OF REPRESENTATIVES

Please PRINT Clearly

Committee on House Federalism ; State Rights Committee Bill Number HB 2340/2572
 Date 2-17-16 ☐ Support ☒ Oppose ☐ Neutral
 Name Deborah J Saari Need to Speak? ☐ Yes ☒ No
 Representing Self Are you a registered lobbyist? NO
 Complete Address 4071 S. Purple Sage Dr Chandler, AZ
 E-mail Address debby.saari@cox.net Phone Number 602616-7971
 Comments: Dec 2015 Article Mark Killian - Can't do
his job now in budget / Horse first to be cut in
future / Public

FIVE-MINUTE SPEAKING LIMIT

Private is the future

No to State

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HOUSE OF REPRESENTATIVES

Please PRINT Clearly

Committee on FEDERALISM + STATES RIGHTS Bill Number HB 2340 + HB 2572
Date 2.17.2016 ☐ Support ☒ Oppose ☐ Neutral
Name T. JEWEL BLACKFEATHER-WELTER Need to Speak? ☐ Yes ☒ No
Representing SALT RIVER WILD HORSE MGMT. Are you a registered lobbyist? NO.
Complete Address 995 E. BASELINE RD. APT 2047 TEMPE, AZ 85283
E-mail Address TBLACKFEATHER@USH.COM Phone Number 480.297.6638
Comments: THE SALT RIVER HORSES NEEDED PROTECTION FROM
STERILIZATION + SLAUGHTER.

FIVE-MINUTE SPEAKING LIMIT

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HOUSE OF REPRESENTATIVES

Please PRINT Clearly

Committee on Federalism and States Rights Bill Number HB 2340 + HB 2572
Date 2.17.16 ☐ Support ☒ Oppose ☐ Neutral
Name Jesse E Powell Need to Speak? ☒ Yes ☒ No
Representing Salt River Wild Horse Mgmt. Are you a registered lobbyist? NO
Complete Address 4630 E Thomas Rd Apt G10 Phoenix AZ
E-mail Address jesspowell89@gmail.com Phone Number 480.252.7654
Comments: We should urge the Federal Govt to uphold
their responsibility for the wild horses

FIVE-MINUTE SPEAKING LIMIT

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HOUSE OF REPRESENTATIVES

Please PRINT Clearly

Committee on Federalism + State Rights Bill Number 2572

Date 2-17-2016 ☐ Support ☒ Oppose ☐ Neutral

Name Marcelene Alexander Need to Speak? ☐ Yes ☐ No

Representing Self Are you a registered lobbyist? No

Complete Address P.O. Box 5106 Sun City West AZ 85376-5106

E-mail Address marcelenealexander@yahoo.com Phone Number 541-974-5587

Comments: I approve this bill

The SR Honor should be protected & cared for

FIVE-MINUTE SPEAKING LIMIT

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HOUSE OF REPRESENTATIVES

Please PRINT Clearly

Committee on Federalism + State Rights Bill Number 2572

Date 2-17-2016 ☐ Support ☒ Oppose ☐ Neutral

Name Ann Mond Need to Speak? ☐ Yes ☒ No

Representing Self Are you a registered lobbyist?

Complete Address HC 3 Box 1014 / 49795 E. MIFFLIN RD TULSON AZ

E-mail Address janniegoodearth@hotmail.com Phone Number 520-722-1749 85736

Comments: I oppose bill

FIVE-MINUTE SPEAKING LIMIT

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HOUSE OF REPRESENTATIVES

Please PRINT Clearly

Committee on Federalism & State Rights Bill Number 2572
Date 2-17-2016 ☐ Support ☒ Oppose ☐ Neutral
Name Sam London Need to Speak? ☐ Yes ☒ No
Representing _____ Are you a registered lobbyist? No
Complete Address 11863 N. Mission Dr. San City, AZ 85351
E-mail Address Suey987@cox.net Phone Number 623-972-6056
Comments: Oppose

FIVE-MINUTE SPEAKING LIMIT

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HOUSE OF REPRESENTATIVES

Please PRINT Clearly

Committee on Federalism & States Rights Bill Number 2691
Date 2-17-16 ☐ Support ☒ Oppose ☐ Neutral
Name Deborah Hutterer Need to Speak? ☐ Yes ☒ No
Representing myself Are you a registered lobbyist? No
Complete Address 4777 E Kiva Phoenix
E-mail Address dhutterer@ss-sw.org Phone Number 480 396 3795
Comments: Please Vote no. I am in opposition

FIVE-MINUTE SPEAKING LIMIT

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HOUSE OF REPRESENTATIVES

Please PRINT Clearly

Committee on Federalism & States Rights Bill Number 2691

Date 2/17/16 ☐ Support ☒ Oppose ☐ Neutral

Name CRAIG THORESEN Need to Speak? ☐ Yes ☐ No

Representing LUTHERAN SOCIAL SERVICES Are you a registered lobbyist? No

Complete Address 3443 N. CENTRAL, NORTH ROTUNDA, PHX, AZ 85012

E-mail Address Cthoresen@refugeefocus.org Phone Number 602-248-4400 x115

Comments: _____

FIVE-MINUTE SPEAKING LIMIT



HOUSE OF REPRESENTATIVES

HB 2024

sovereign authority; federal actions

Prime Sponsor: Representative Finchem, LD 11

X Committee on Federalism and States' Rights

Caucus and COW

House Engrossed

STRIKE EVERYTHING SUMMARY

The proposed strike-everything amendment to HB 2024 removes a provision in current law that allows courts to award court costs and attorney fees to any person, official, agency or any political subdivision of this State that prevails by adjudication in proceedings to enforce immigration laws.

PROVISIONS

1. Removes a provision in current law that allows courts to award costs and reasonable attorney fees to any official or agency of this State or a county, city, town or other political subdivision of this State that prevails by adjudication on the merits in a proceeding brought to enforce federal laws regarding immigration.
2. Makes conforming changes.

CURRENT LAW

Arizona Revised Statutes Title 11, Chapter 7, Article 8 outlines protocols and procedures in enforcing federal immigration laws in Arizona. This article also specifies that a legal resident of Arizona may challenge in superior court any official, agency, county, city, town, or any other political subdivision of the state that limits the execution of federal immigration laws. If there is a judicial finding that a public entity has enforced the federal immigration law to less than the full extent, the court shall order that the entity to pay a civil penalty of not less than five hundred dollars and not more than five thousand dollars for each day that the policy has remained in effect after the filing.

Currently, Arizona law allows for the recovery of costs and reasonable attorney fees to the prevailing party.

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2024

(Reference to printed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Section 11-1051, Arizona Revised Statutes, is amended to
3 read:

4 11-1051. Cooperation and assistance in enforcement of
5 immigration laws; indemnification

6 A. No official or agency of this state or a county, city, town or
7 other political subdivision of this state may limit or restrict the
8 enforcement of federal immigration laws to less than the full extent
9 permitted by federal law.

10 B. For any lawful stop, detention or arrest made by a law enforcement
11 official or a law enforcement agency of this state or a law enforcement
12 official or a law enforcement agency of a county, city, town or other
13 political subdivision of this state in the enforcement of any other law or
14 ordinance of a county, city or town or this state where reasonable suspicion
15 exists that the person is an alien and is unlawfully present in the United
16 States, a reasonable attempt shall be made, when practicable, to determine
17 the immigration status of the person, except if the determination may hinder
18 or obstruct an investigation. Any person who is arrested shall have the
19 person's immigration status determined before the person is released. The
20 person's immigration status shall be verified with the federal government
21 pursuant to 8 United States Code section 1373(c). A law enforcement official
22 or agency of this state or a county, city, town or other political
23 subdivision of this state may not consider race, color or national origin in

Attachment 4

Adopted ☒ # of Verbals _____
Failed _____ Withdrawn _____
Not Offered _____ Analysts Initials _____

1 implementing the requirements of this subsection except to the extent
2 permitted by the United States or Arizona Constitution. A person is presumed
3 to not be an alien who is unlawfully present in the United States if the
4 person provides to the law enforcement officer or agency any of the
5 following:

- 6 1. A valid Arizona driver license.
- 7 2. A valid Arizona nonoperating identification license.
- 8 3. A valid tribal enrollment card or other form of tribal
9 identification.
- 10 4. If the entity requires proof of legal presence in the United States
11 before issuance, any valid United States federal, state or local government
12 issued identification.

13 C. If an alien who is unlawfully present in the United States is
14 convicted of a violation of state or local law, on discharge from
15 imprisonment or on the assessment of any monetary obligation that is imposed,
16 the United States immigration and customs enforcement or the United States
17 customs and border protection shall be immediately notified.

18 D. Notwithstanding any other law, a law enforcement agency may
19 securely transport an alien who the agency has received verification is
20 unlawfully present in the United States and who is in the agency's custody to
21 a federal facility in this state or to any other point of transfer into
22 federal custody that is outside the jurisdiction of the law enforcement
23 agency. A law enforcement agency shall obtain judicial authorization before
24 securely transporting an alien who is unlawfully present in the United States
25 to a point of transfer that is outside of this state.

26 E. In the implementation of this section, an alien's immigration
27 status may be determined by:

28 1. A law enforcement officer who is authorized by the federal
29 government to verify or ascertain an alien's immigration status.

30 2. The United States immigration and customs enforcement or the United
31 States customs and border protection pursuant to 8 United States Code section
32 1373(c).

1 F. Except as provided in federal law, officials or agencies of this
2 state and counties, cities, towns and other political subdivisions of this
3 state may not be prohibited or in any way be restricted from sending,
4 receiving or maintaining information relating to the immigration status,
5 lawful or unlawful, of any individual or exchanging that information with any
6 other federal, state or local governmental entity for the following official
7 purposes:

8 1. Determining eligibility for any public benefit, service or license
9 provided by any federal, state, local or other political subdivision of this
10 state.

11 2. Verifying any claim of residence or domicile if determination of
12 residence or domicile is required under the laws of this state or a judicial
13 order issued pursuant to a civil or criminal proceeding in this state.

14 3. If the person is an alien, determining whether the person is in
15 compliance with the federal registration laws prescribed by title II, chapter
16 7 of the federal immigration and nationality act.

17 4. Pursuant to 8 United States Code section 1373 and 8 United States
18 Code section 1644.

19 G. This section does not implement, authorize or establish and shall
20 not be construed to implement, authorize or establish the REAL ID act of 2005
21 (P.L. 109-13, division B; 119 Stat. 302), including the use of a radio
22 frequency identification chip.

23 H. A person who is a legal resident of this state may bring an action
24 in superior court to challenge any official or agency of this state or a
25 county, city, town or other political subdivision of this state that adopts
26 or implements a policy that limits or restricts the enforcement of federal
27 immigration laws, including 8 United States Code sections 1373 and 1644, to
28 less than the full extent permitted by federal law. If there is a judicial
29 finding that an entity has violated this section, the court shall order that
30 the entity pay a civil penalty of not less than five hundred dollars and not
31 more than five thousand dollars for each day that the policy has remained in
32 effect after the filing of an action pursuant to this subsection.

1 I. A court shall collect the civil penalty prescribed in subsection H
2 of this section and remit the civil penalty to the state treasurer for
3 deposit in the gang and immigration intelligence team enforcement mission
4 fund established by section 41-1724.

5 ~~J. The court may award court costs and reasonable attorney fees to any~~
6 ~~person or any official or agency of this state or a county, city, town or~~
7 ~~other political subdivision of this state that prevails by an adjudication on~~
8 ~~the merits in a proceeding brought pursuant to this section.~~

9 ~~K.~~ J. Except in relation to matters in which the officer is adjudged
10 to have acted in bad faith, a law enforcement officer is indemnified by the
11 law enforcement officer's agency against reasonable costs and expenses,
12 including attorney fees, incurred by the officer in connection with any
13 action, suit or proceeding brought pursuant to this section in which the
14 officer may be a defendant by reason of the officer being or having been a
15 member of the law enforcement agency.

16 ~~L.~~ K. This section shall be implemented in a manner consistent with
17 federal laws regulating immigration, protecting the civil rights of all
18 persons and respecting the privileges and immunities of United States
19 citizens."

20 Amend title to conform

MARK FINCHEM

2024FINCHEM.doc
02/09/2016
04:17 PM
C: meb

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature - Second Regular Session

ROLL CALL VOTE

COMMITTEE ON FEDERALISM AND STATES' RIGHTS BILL NO. HB 2024

DATE February 17, 2016 MOTION: DPA/SE

	PASS	AYE	NAY	PRESENT	ABSENT
Mr. Finchem		✓			
Mr. Mitchell		✓			
Ms. Rios			✓		
Mr. Thorpe		✓			
Ms. Velasquez					✓
Mr. Wheeler			✓		
Mr. Campbell, Vice-Chairman		✓			
Ms. Townsend, Chairman		✓			
		5	2	0	1

APPROVED:


KELLY TOWNSEND, Chairman
NOEL W. CAMPBELL, Vice-Chairman


COMMITTEE SECRETARY

ATTACHMENT _____



HOUSE OF REPRESENTATIVES

HB 2370

sovereign authority; refugees

Prime Sponsor: Representative Thorpe, LD 6

X Committee on Federalism and States' Rights

Caucus and COW

House Engrossed

OVERVIEW

HB 2370 prohibits Arizona from using its personnel and financial resources to enforce, administer, or cooperate with any action of the United States government to relocate within this State any refugee, unaccompanied alien child or a non-citizen of the United States.

PROVISIONS

1. Prohibits the State of Arizona from using its personnel or financial resources to enforce, administer or cooperate with any action of the United States government that places within this State any refugee, unaccompanied alien child, or any other person who is not a citizen of the United States unless:
 - a. The individual has undergone a thorough criminal history, terrorism, and health background check and has been approved for placement by this State.
 - b. The United States government has agreed to fully compensate this State and its political subdivisions for the ongoing costs of the placement that are incurred.
2. Requires the Arizona Attorney General to notify the Speaker of the United States House of Representatives, Majority Leader of the United States Senate, and the United States Department of Justice the provisions enumerated in this bill.
3. Contains a legislative findings provision.

CURRENT LAW

Arizona Constitution, Article 2, Section 3 provides that Arizona may exercise its sovereign authority to limit actions in the usage of its personnel and financial resources to purposes that are consistent with the U.S. Constitution in order to protect its people's freedom and preserve the checks and balances of the U.S. Constitution.

The Refugee Act of 1980 (Act) standardized the resettlement services for all refugees admitted into the U.S. The Act currently provides the legal framework for today's process of admitting refugees into the country. The Bureau of Population, Refugees, and Migration, Department of Human and Health Services and the Department of Homeland Security work together in executing United States' humanitarian efforts through the U.S. Refugee Resettlement Program(Program). Under this Program, refugees will be screened, relocated and provided with services and monetary assistance to help them transition into their new environment and achieve self-sufficiency.

United States Code, Title 22, Chapter 36, Section 2601 provides that whenever the President determines it to be important to the national interest, he has the power to determine aid for the purpose of meeting unforeseen urgent refugee and migration needs. Additionally, the United

Fifty-second Legislature
Second Regular Session

Federalism and States' Rights

HB 2370

States Emergency Refugee and Migration Assistance Fund has been established to execute federal policies pertaining to refugee and migration needs.

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature - Second Regular Session

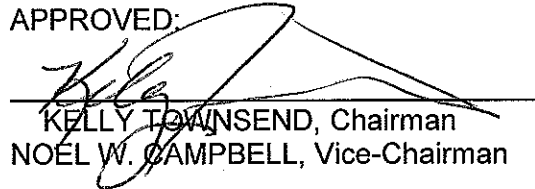
ROLL CALL VOTE

COMMITTEE ON FEDERALISM AND STATES' RIGHTS BILL NO. HB 2370

DATE February 17, 2016 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Mr. Finchem		✓			
Mr. Mitchell		✓			
Ms. Rios			✓		
Mr. Thorpe		✓			
Ms. Velasquez			✓		
Mr. Wheeler			✓		
Mr. Campbell, Vice-Chairman		✓			
Ms. Townsend, Chairman		✓			
		5	3	0	0

APPROVED:


KELLY TOWNSEND, Chairman
NOEL W. CAMPBELL, Vice-Chairman


COMMITTEE SECRETARY

ATTACHMENT _____



HOUSE OF REPRESENTATIVES

HB 2691

refugee resettlement; procedures; audit

Prime Sponsor: Representative Gowan, LD 14

X Committee on Federalism and States' Rights

Caucus and COW

House Engrossed

OVERVIEW

HB 2691 requires the Auditor General to conduct a special audit regarding the refugee resettlement process in this State under the Federal Refugee Resettlement Program (Program).

PROVISIONS

1. Requires the Auditor General to conduct a special audit regarding the refugee resettlement process in this State under the Program.
2. Requires the audit to review the following information:
 - a. The number of refugees that have been resettled in this State in the last thirty-six months pursuant to the Program.
 - b. The amount of state monies that have been spent on refugee resettlement pursuant to the Program.
 - c. The amount of federal monies that this State has received pursuant to the Program.
3. Requires the Auditor General to submit copies of the special audit to the Governor, the President of the Senate and the Speaker of the House of Representatives and provide a copy of this report to the Secretary of State of Arizona on or before December 1, 2016.
4. Stipulates that the provisions enumerated in this bill are repealed on October 1, 2017.

CURRENT LAW

Arizona Revised Statutes § 41-1279.03, the Auditor may perform special research requests, special audits and related assignments as designated by the Joint Legislative Audit Committee (Committee) and conduct performance audits, special audits, special research requests and investigations of any state agency, whether created by the constitution or otherwise, as may be requested by the Committee. The Auditor General reports to the Committee the results of each audit and investigation and other reviews conducted.

The Refugee Act of 1980 outlines protocols and procedures regarding the resettlement services for all refugees admitted to the U.S. Through the Program, the Bureau of Population, Refugees, and Migration, the Department of Human and Health Services and the Department of Homeland Security work together to deliver United States' humanitarian efforts. While going through this Program, refugees will be screened, relocated and provided with services and monetary assistance to help them transition into their new environment and achieve self-sufficiency.

United States Code Title 8, Chapter 12, Subchapter IV states that the Director of the Program is authorized to provide assistance, reimbursement to states, and grants to public or private nonprofit agencies for 100 percent of the cash assistance and medical assistance provided to any

Fifty-second Legislature
Second Regular Session

Federalism and States' Rights

HB 2691

refugee during the thirty-six month period beginning with the first month in which such refugee has entered the United States, and for the identifiable and reasonable administrative costs of providing this assistance.

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature - Second Regular Session

ROLL CALL VOTE

COMMITTEE ON FEDERALISM AND STATES' RIGHTS BILL NO. HB 2691

DATE February 17, 2016 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Mr. Finchem		✓			
Mr. Mitchell		✓			
Ms. Rios			✓		
Mr. Thorpe		✓			
Ms. Velasquez			✓		
Mr. Wheeler			✓		
Mr. Campbell, Vice-Chairman		✓			
Ms. Townsend, Chairman		✓			
		5	3	0	0

APPROVED:


KELLY TOWNSEND, Chairman
NOEL W. CAMPBELL, Vice-Chairman



COMMITTEE SECRETARY

ATTACHMENT _____



HOUSE OF REPRESENTATIVES

HB 2585

national monuments; justification; litigation

Prime Sponsor: Representative Thorpe, LD 6

X Committee on Federalism and States' Rights

Caucus and COW

House Engrossed

OVERVIEW

HB 2585 requires the Historical Advisory Commission (Commission) to maintain a catalog of each existing or newly created national monument in the state.

PROVISIONS

1. Requires the Commission to maintain a catalog of each existing or newly created national monument in the state with the following information:
 - a. A detailed accounting of each individual item to be protected;
 - b. The precise global positioning system location of each item to be protected;
 - c. The square footage each item to be protected;
 - d. The total square footage of the parcel of land compromising the national monument;
 - e. A peer-reviewed justification for the protection of the object by the federal government.
2. Specifies that the Commission is required to determine whether the limits of a parcel compromising a national monument in this State are confined to the smallest area compatible with the proper care and management of the objects to be protected by the national monument.
3. Requires the Commission to notify the Attorney General if the Commission determines that the limits of a parcel compromising a national monument in this State are not confined to the smallest area compatible with the proper care and management of the objects to be protected by the national monument.
4. Requires the Attorney General to commence an action to confine the limits of the parcel compromising the national monument to the smallest area compatible with the proper care and management of the objects to be protected by the national monument on the receipt of the notice from the Commission.

CURRENT LAW

Arizona Revised Statutes, Title 41, Chapter 1, Article 2.1 provides that the Commission has the responsibility to advise the Legislature and state agencies on matters relating to the state's history and historic preservation. Additionally, the Commission recommends measures to the Legislature and state agencies to improve the effectiveness of activities of state agencies and agencies of political subdivisions of this State to relating the interpretation, research, writing and teaching of this state's history, heritage and historic preservation, including the Indian nations' history, heritage and preservation.

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature - Second Regular Session

ROLL CALL VOTE

COMMITTEE ON FEDERALISM AND STATES' RIGHTS BILL NO. HB 2585

DATE February 17, 2016 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Mr. Finchem		✓			
Mr. Mitchell		✓			
Ms. Rios			✓		
Mr. Thorpe		✓			
Ms. Velasquez			✓		
Mr. Wheeler			✓		
Mr. Campbell, Vice-Chairman		✓			
Ms. Townsend, Chairman		✓			
		5	3	0	0

APPROVED:


KELLY TOWNSEND, Chairman
NOEL W. CAMPBELL, Vice-Chairman


COMMITTEE SECRETARY

ATTACHMENT _____



HOUSE OF REPRESENTATIVES

HCM 2010

Robert Levinson; release from Iran

Prime Sponsor: Representative Allen J, LD 15

X Committee on Federalism and States' Rights

Caucus and COW

House Engrossed

OVERVIEW

HCM 2010 urges the United States President, Congress, the Secretary of State and all public officials under their charge to follow the policy of the United States related to the release of Robert Levinson.

PROVISIONS

1. Urges the President of the United States, Congress, the United States Secretary of State and all public officials under their charge to follow the policy of the United States as stated in United States Senate Concurrent Resolution 16.
2. Urges the government of the Islamic Republic of Iran to immediately cooperate with the United States government to locate and return Robert Levinson.
3. Urges the United States government to undertake every effort using every diplomatic tool at its disposal to secure Robert Levinson's immediate release.
4. Requires the Arizona Secretary of State to transmit copies of this memorial to the President of the United States, the Secretary of State, the Speaker of the House, the President of the Senate and each member of Congress from the State of Arizona.

CURRENT LAW

United States Senate Concurrent Resolution 16 establishes that it is U.S. policy that the government of the Islamic Republic of Iran should cooperate with the U.S. government to locate and return Robert Levinson and the U.S. government should undertake every effort using every diplomatic tool at its disposal to secure his release.

ADDITIONAL INFORMATION

Robert Levinson served as a law enforcement officer in both the United States Drug Enforcement Agency and the Federal Bureau of Investigation. He was taken captive on the Kish Island in Iran on March 9, 2007.

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature - Second Regular Session

ROLL CALL VOTE

COMMITTEE ON FEDERALISM AND STATES' RIGHTS BILL NO. HCM 2010

DATE February 17, 2016 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Mr. Finchem		✓			
Mr. Mitchell		✓			
Ms. Rios		✓			
Mr. Thorpe		✓			
Ms. Velasquez		✓			
Mr. Wheeler		✓			
Mr. Campbell, Vice-Chairman		✓			
Ms. Townsend, Chairman		✓			
		8	0	0	0

APPROVED:



KELLY TOWNSEND, Chairman
NOEL W. CAMPBELL, Vice-Chairman



COMMITTEE SECRETARY

ATTACHMENT _____



HOUSE OF REPRESENTATIVES

HB 2340

wild horses; management; prohibition

Prime Sponsor: Representative Townsend, LD 16

X Committee on Federalism and States' Rights

Caucus and COW

House Engrossed

OVERVIEW

HB 2340 establishes that the Salt River wild horse herd is property of the State of Arizona under the jurisdiction of the Animal Services Division (Division) within the Arizona Department of Agriculture (Department).

PROVISIONS

1. Establishes that the Salt River wild horse herd is property of Arizona under the jurisdiction of the Division within the Department.
2. Allows the Division to enter into an agreement with a private entity for the active management of the herd and the United States Forest Service for collaborative management of the herd.
3. Prohibits persons from actively managing, taking, slaughtering or euthanizing a horse that is part of the Salt River herd without written authorization from the Division.
4. Stipulates that Arizona is not obligated to pay for the management of the Salt River wild horse herd.
5. Specifies that a person who violates any of these provisions is guilty of a Class 1 misdemeanor.
6. Contains an Emergency Clause.

CURRENT LAW

Arizona Revised Statutes, Title 3, Chapter 11 authorizes the Division of the Department to supervise over the livestock interests of the state, protect the livestock industry from theft and protect the welfare of the public in relation to disease that may come with livestock in Arizona. The Division, with the advice of the State Veterinarian, makes decisions on importation of animals and poultry into the state, the slaughter of animals and poultry disposition of carcasses, and the importation, manufacture, sale, distribution or use within the state of serums, vaccines and other biologics intended for diagnostic or therapeutic treatment of animals and poultry.

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2340

(Reference to printed bill)

- 1 Page 1, line 4, strike "WILD"
- 2 Line 5, strike "wild"; strike "state property:"
- 3 Line 6, strike "violation" insert "violations"
- 4 Line 7, after "classification" insert "; definition"
- 5 Line 8, strike "WILD"; strike "PROPERTY" insert "AN ECONOMIC, RECREATIONAL AND
- 6 HISTORICAL ASSET"; strike "UNDER THE"
- 7 Strike line 9, insert ", AND THIS STATE SHALL HOLD THE HORSES IN TRUST FOR THE
- 8 PEOPLE OF THIS STATE."
- 9 Line 11, after "A" insert "PUBLIC OR"; strike "ACTIVE"; strike "WILD"
- 10 Line 14, strike "WILD"; after "HERD" insert "AND TO ESTABLISH A DESIGNATED AREA
- 11 ALONG THE SALT RIVER FOR THE SALT RIVER HORSE HERD THAT INCLUDES ENOUGH AREA
- 12 TO ALLOW THE SALT RIVER HORSE HERD TO MAINTAIN MIGRATION PATTERNS"
- 13 Between lines 14 and 15, insert:
- 14 "C. THE DIVISION MAY NOT:
- 15 1. AUCTION A HORSE THAT IS PART OF THE SALT RIVER HORSE HERD TO A
- 16 PERSON THAT SLAUGHTERS HORSES OR PROVIDES HORSES FOR SLAUGHTER. A CONTRACT
- 17 FOR THE SALE OF A HORSE THAT IS PART OF THE SALT RIVER HORSE HERD SHALL
- 18 INCLUDE A PROVISION THAT PROHIBITS THE BUYER FROM SLAUGHTERING THE HORSE OR
- 19 PROVIDING THE HORSE FOR SLAUGHTER.
- 20 2. MANAGE THE SIZE OF THE SALT RIVER HORSE HERD BY GELDING OR
- 21 OVARIECTOMY."
- 22 Reletter to conform
- 23 Line 16, strike "WILD"

Attachment 15

Adopted ☒ # of Verbals _____
Failed _____ Withdrawn _____
Not Offered _____ Analysts Initials _____

1 Page 1, strike lines 18 and 19, insert:

2 "E. HORSES THAT ARE PART OF THE SALT RIVER HORSE HERD ARE NOT STRAY
3 ANIMALS AS DEFINED IN SECTION 3-1401 AND ARE NOT SUBJECT TO SECTION 3-1402."

4 Line 20, after "VIOLATES" insert "SUBSECTION C, PARAGRAPH 1 OR SUBSECTION D OF"
5 Strike lines 22 through 25, insert:

6 "G. A PERSON WHO CUTS, DESTROYS OR VANDALIZES FENCING USED TO PROTECT
7 THE SALT RIVER HORSE HERD IS GUILTY OF A CLASS 1 MISDEMEANOR.

8 H. FOR THE PURPOSES OF THIS SECTION, "MANAGEMENT" INCLUDES EFFORTS PUT
9 FORTH FOR THE BETTERMENT, HEALTH AND WELL-BEING OF THE SALT RIVER HORSE HERD,
10 TO PREVENT ABUSE OF THE SALT RIVER HORSES AND TO PROTECT THE PUBLIC, HEALTH
11 AND SAFETY.

12 3-1492. Unlawful release of a domesticated horse; violation;
13 classification

14 A PERSON WHO INTENTIONALLY RELEASES A DOMESTICATED HORSE INTO THE WILD
15 IS GUILTY OF A CLASS 1 MISDEMEANOR.

16 Sec. 2. Exemption from rulemaking

17 For the purposes of this act, the Arizona department of agriculture is
18 exempt from the rulemaking requirements of title 41, chapter 6, Arizona
19 Revised Statutes, for one year after the effective date of this act."

20 Amend title to conform

KELLY TOWNSEND

2340 kt2
02/16/2016
11:22 AM
C: LD

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature - Second Regular Session

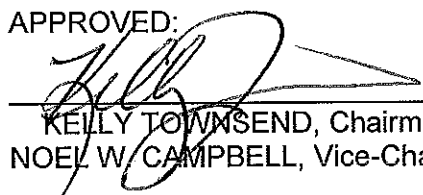
ROLL CALL VOTE

COMMITTEE ON FEDERALISM AND STATES' RIGHTS BILL NO. HB 2340

DATE February 17, 2016 MOTION: DPA

	PASS	AYE	NAY	PRESENT	ABSENT
Mr. Finchem		✓			
Mr. Mitchell			✓		
Ms. Rios					✓
Mr. Thorpe		✓			
Ms. Velasquez			✓		
Mr. Wheeler		✓			
Mr. Campbell, Vice-Chairman		✓			
Ms. Townsend, Chairman		✓			
		5	2	0	1

APPROVED:


KELLY TOWNSEND, Chairman
NOEL W. CAMPBELL, Vice-Chairman


COMMITTEE SECRETARY

ATTACHMENT _____



20 E Main St Suite 750
PO Box 1466
Mesa, Arizona 85211-1466

February 16, 2016

The Honorable Kelly Townsend
Arizona House of Representatives
1700 W. Washington Street, Suite 302
Phoenix, Arizona 85007

Dear Representative Townsend,

I am writing to express my support for your efforts in House Bill 2572 to establish the Salt River Wild Horse Herd Study Committee. The Salt River Wild Horses have long been a draw to tourists who come to our state to enjoy the incredible natural beauty of the desert. It is remarkable that the horses continue to peacefully co-exist so close to a major urban area like Phoenix and Mesa.

As a community that understands the importance of tourism to our economy, Mesa appreciates that the Study Committee will evaluate the economic benefits of sustaining the wild horses. Hotel and restaurant owners throughout the Valley appreciate the millions of tourists a year that flock to our area. Capitalizing on the tremendous draw of a historic wild horse herd—one that truly predates Arizona statehood—would only serve to bolster our robust tourism investments.

Please do not hesitate to contact me if Mesa can be helpful with your efforts. Thank you again for your support of local tourism.

Sincerely,

John Giles
Mayor

From: Bosworth, Neil -FS
Sent: Friday, July 31, 2015 3:11 PM
To: FS-pdl r3 tonto all
Subject: Salt River Horses

As you are probably aware, several bands of horses have been grazing on the Mesa Ranger District for many years. There is no Wild Horse territory on the Tonto National Forest, so these horses are not protected under the Wild Horse and Burro Act of 1971. Several members of my staff have been actively working over the last three years to find a suitable resolution to this on-going issue. Horse advocates claim these horses should be protected under the Wild Horse and Burro Act, and would like to enter into an agreement to manage these horses on the Forest. Because there is no recognized territory on the Forest, I have been unable to find any authority to enter into an agreement. Under Arizona State Statutes, these horses are considered stray animals.

Horse advocates have been contacting the Arizona Congressional Delegation, making claims that horses are in imminent danger of dying from dehydration. They are also reporting horses with injuries in the recreation areas. These continuing conflicts are causing the Forest to spend a considerable amount of time and resources to defend our actions regarding animals we have no authority to manage.

On Friday, July 31, 2015, a notice of intent to impound livestock on the Mesa Ranger District will appear in the Arizona Capitol Times. This is the last opportunity for anyone who wants to claim ownership of these horses to come forward before a gather commences. I expect this notice will cause an outcry from horse advocate groups, and I would not be surprised if there is a protest in front of the Mesa Ranger District or Supervisor's offices.

While there is no indication that protests have been organized, we are planning for that possibility. Protestors are free to picket on the sidewalk outside our offices, as long as they do not interfere with employees or members of the public from driving into the parking lot or conducting business. Please be on the lookout for people walking in front of the building, and if you are asked any questions, please refer them to Carrie Templin at (602) 225-5290.

We will have LEOs at the SO on Monday, to address any incidents. The LEOs have a contact with the Phoenix PD squad that deals with protestors regularly. LEOS will be working with them to ensure public and employee safety. As a general rule, please DO NOT LET ANYONE IN UNESCORTED that is not an employee. If you observe suspicious activity let the LEOS know. You may also want to consider parking farther away from the door, as there may be additional people coming to the Office.

Neil

Neil Bosworth
Forest Supervisor
Forest Service
Tonto National Forest
p: 602-225-5201
c: 602-469-4981
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HOUSE OF REPRESENTATIVES

HB 2572

study committee; Salt River horses

Prime Sponsor: Representative Townsend, LD 16

X Committee on Federalism and States' Rights

Caucus and COW

House Engrossed

OVERVIEW

HB 2572 establishes a Salt River Wild Horse Herd Study Committee (Committee) to research the environmental and fiscal impact of the Salt River wild horse herd, and the feasibility and action necessary to actively manage the Salt River wild horse herd.

PROVISIONS

1. Establishes a Committee to research the environmental and fiscal impact of the Salt River wild horse herd, and the feasibility and action necessary to actively manage the Salt River wild horse herd.
2. Requires the Committee to submit a report regarding the Committee's findings and recommendation on or before December 31, 2016 to the Governor, the President of the Senate and the Speaker of the House of Representatives, and the Secretary of State.
3. Specifies that the Chairman of the Federalism and States' Rights Committee appoints two members of the Senate, two members of the House of Representatives, one member who represents a university under the jurisdiction of the Arizona Board of Regents and who has experience in veterinary medicine and one member who represents the College of Veterinary Medicine at Midwestern University.

CURRENT LAW

Currently not addressed in the Arizona Revised Statutes.

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature - Second Regular Session


ROLL CALL VOTE

COMMITTEE ON FEDERALISM AND STATES' RIGHTS BILL NO. HB 2572

DATE February 17, 2016 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Mr. Finchem		✓			
Mr. Mitchell		✓			
Ms. Rios					✓
Mr. Thorpe		✓			
Ms. Velasquez		✓			
Mr. Wheeler		✓			
Mr. Campbell, Vice-Chairman		✓			
Ms. Townsend, Chairman		✓			
		7	0	0	1

APPROVED:



KELLY TOWNSEND, Chairman
NOEL W. CAMPBELL, Vice-Chairman



COMMITTEE SECRETARY

ATTACHMENT _____

ARIZONA STATE LEGISLATURE
Fifty-second Legislature - Second Regular Session

COMMITTEE ATTENDANCE RECORD

COMMITTEE ON FEDERALISM AND STATES' RIGHTS

CHAIRMAN: Kelly Townsend VICE-CHAIRMAN: Noel W. Campbell

DATE	1/20/16	1/27/16	2/3/16	2/10/16	2/17/16
CONVENED	9:01 AM	9:02 AM	9:02 AM	9:00 AM	9:03 AM
RECESSED					
RECONVENED					
ADJOURNED	11:10 AM	10:42 AM	9:54 AM	10:29 AM	12:09 P.M.
MEMBERS					
Mr. Finchem	✓	✓	✓	✓	✓
Mr. Mitchell	✓	✓	✓	Exc	✓
Ms. Rios	—	✓	✓	—	✓
Mr. Thorpe	✓	✓	✓	✓	✓
Ms. Velasquez	—	✓	—	✓	✓
Mr. Wheeler	—	✓	✓	—	✓
Mr. Campbell, Vice-Chairman	✓	✓	✓	✓	✓
Ms. Townsend, Chairman	✓	✓	✓	✓	✓
Mr. Olson	—	—	—	✓	—
✓ Present	---	Absent	exc	Excused	